

REMARKS

Reconsideration of the pending claims in view of the following remarks is respectfully requested.

Claims 14 to 23 have been cancelled.

Claim 24 has been amended to correct a typographical error.

Nonstatutory double patenting rejection

In response to the obviousness-type double patenting rejections of Claims 1-4, 6, 11 & 13 over claims 1-4, 7, 10 & 12 of US Patent No. 6,131,514 in view of EP 0803554 (Kanou et al), of which the former is commonly owned with the present application, a Terminal Disclaimer is filed herewith, on behalf of the assignee, in respect of US Patent No. 6,131,514. The Terminal Disclaimer is signed by the undersigned Registered Patent Attorney.

Accordingly, it is requested that rejection be reconsidered and withdrawn.

Rejection under 35 USC § 102(b) over EP 0803554 (Kanou et al)

Claims 14-24 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by EP 0803554 (Kanou et al). The rejection in respect of Claims 14-23 is now moot in view of the aforementioned cancellation of those claims. Accordingly, the rejection being addressed below is that in respect of Claim 24 only.

According to the Office Action, Kanou et al teaches that to get the high quality waterproof printed image, the composition includes the aqueous solution or aqueous colloidal dispersion of polymer includes pigment particle therein (page 2, lines 12-15; page 5, lines 35-40), wherein the pigment is selected from azo, carbon black with the particle size of 0.01 to 5 μm (page 5, lines 40-45), and pigment is present in an amount from 1 to 20% by weight (see Examples). They also disclose that the water solubilising group is ionisable acid group, which is selected from carboxylic and sulfonic acid (see Examples). According to the Office Action, Kanou et al also teach that the polymer is selected from polyester in the range 0.02 to 8% by weight (see Examples); and pigment from 0.1 to 10% by weight (see Examples). For at least the following reasons, Applicants traverse the rejection.

Kanou et al discloses an aqueous pigment dispersion useful as a water-based ink, which aqueous pigment dispersion comprises a pigment, an aqueous

medium and a dispersant resin, wherein the dispersant resin contains a hydrophobic moiety and a hydrophilic moiety, the hydrophobic moiety being a polyester linkage chain formed of ester linkages as primary linkages, and the hydrophilic moiety is a water-soluble resin containing sulfonic groups or sulfonate salt groups (see page 3, lines 12-15). According to Kanou et al, the aqueous pigment dispersion is said to have excellent quality as a writing or recording water-based pigment ink having high pigment concentration and low viscosity and produces clear writing without smear or blurring, excellent colour vividness and excellent durability, such as waterproofness (see page 3, lines 3-7 & 47-49). According to another aspect of the invention described in Kanou et al (see page 3, lines 43-45), there is provided a colouring or recording equipment which is provided with the aqueous pigment dispersion as a colouring or recording water-based ink. The colouring or recording equipment may be, for example, a writing instrument, a printer, a copying machine, a fax machine or a printing machine.

Claim 24 is directed toward a printing plate obtainable by a method as claimed in claim 1, which method comprises ink-jet printing an oleophilic image on a surface of a support by applying to the support an aqueous solution or aqueous colloidal dispersion of a polymer having water-solubilising groups wherein the water-solubilising groups interact with the surface of the support thereby binding the polymer to the support and rendering the polymer insoluble, characterised in that the aqueous solution or aqueous colloidal dispersion of polymer comprises pigment particles dispersed therein.

Whilst Kanou et al do refer to a *printing machine*, this is only in the context of a method in which the aqueous pigment dispersion described in Kanou et al can be used as a water-based ink to perform printing operations. There is no disclosure of a printing plate or of the use of the aqueous pigment dispersion to make a printing plate. In order to make a printing plate using the aqueous pigment dispersion of Kanou et al, it would be necessary to apply the dispersion according to a desired image to a receiver which is suitable for use as a printing plate and there is no disclosure or teaching of applying the aqueous dispersion to a substrate that is suitable for use as a printing plate, in a manner in which the printed substrate may be used as a printing plate. Accordingly, it is respectfully submitted that claim 24 is novel over Kanou et al.

For at least the above reasons, reconsideration and withdrawal of the rejection are in order.

Rejection under 35 USC § 103(a) over US 6,131,517 (Simons) in view of EP 0803554 (Kanou et al)

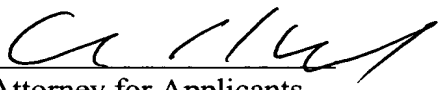
Claims 1-13 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over US 6,131,517 (Simons) in view of EP 0803554 (Kanou et al).

In view of the Terminal Disclaimer filed herewith and referred to above, this rejection is now moot and it is requested that this rejection be reconsidered and withdrawn.

In view of the foregoing remarks, reconsideration of the above-identified patent application is respectfully requested. Prompt and favourable action by the Examiner is earnestly solicited. Should the Examiner require anything further, the Examiner is invited to contact Applicants' representative.

Chris P. Konkol/clb
Rochester, NY 14650
Telephone: (585) 722-0452
Facsimile: (585) 477-1148

Respectfully submitted


Attorney for Applicants
Registration No. 30,721